

**Remarks/Arguments**

Claims 8-15 are pending. Claims 8, 13, 14 and 15 stand objected to because of informalities. Claims 8-15 stand rejected under 35 U.S.C. 102(e) as being anticipated by Rzeszewski (United States Patent No. 5,699,125). Applicant respectfully requests reconsideration and removal of these objections and rejections for at least the following reasons.

***Claim Objections***

Applicant has amended Claims 8, 13, 14 and 15 consistently with the Examiner's recommendations. Claim 10 has also been amended to correct informalities. Accordingly, Applicant respectfully requests reconsideration and removal of these objections.

***Claim Rejections***

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." See, M.P.E.P. §2131 citing Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Applicant respectfully submits the cited prior art references fail to teach each of the limitations of any of the presently appearing claims.

Independent Claim 8 as presently amended recites in part, that copying of information stored in the first database of the receiver to the second database of the receiver is suspended during acquisition of a new list of services, and that when the acquired list of broadcast services changes, the entire new list of services is acquired in the first database and then copied to the second database. Support for the

amendments to Claim 8 may be found, by way of example only, on page 11 of the application as originally filed, where it teaches, “[a] pair of methods Lock/Unlock makes it possible to suspend/resume the updating of the database from the stream so that the UI is temporarily furnished with a consistent image (although possibly outdated) of the list of services.” Further, page 15 of the application as originally filed discloses, “[t]he restitution part is updated when the entire list of services has been received by the database, the acquisition part.”

The invention as recited in present Claim 8 provides two databases or database parts, where copying of data from the first part/database (the acquisition part) to the second part/database (restitution part) is suspended while a new list of services is acquired. Thus, when a new list of services is broadcast, the second database (restitution part) does not change but stays consistent. When the complete list of services has been received by the first database (the acquisition part), the received list is then copied to the second database (the restitution part). In such a manner, the present invention solves the problem “lying in the management of the inconsistency which may temporarily occur in the changes of data streams” discussed on page 3 of the present application. Rzeszewski fails to solve such a problem, and clearly fails to disclose, teach or suggest the features and limitations of amended Claim 8.

Instead, Rzeszewski teaches that where stored database information associated with a subject channel is current (in block 38, Fig. 3), microprocessor 14 copies the stored database for the subject channel from memory 18 (Fig. 1) to the VRAM of the character generator. *See, col. 6, lines 6-10.* Rzeszewski teaches this eliminates

inherent delays resulting from piecing together text as it is received field by field or frame by frame. *See, col. 6, lines 10-15.* Finally, Rzeszewski teaches the stored database for the subject channel is then displayed on the CRT 20. *See, col. 6, lines 6-14.*

Thus, Rzeszewski's copying from the stored database to the VRAM memory is triggered for a display need; and not triggered by the reception of a new list of services as is recited by Claim 8. More particularly, Rzeszewski does not teach or suggest that copying information from the first database to the second database be suspended during acquiring of a new list of services, as recited by Claim 8. Instead, Rzeszewski merely teaches that received and stored information may be displayed at any time, regardless of the consistency of the stored information. Accordingly, Rzeszewski does not teach or suggest a solution for the problem "lying in the management of the inconsistency which may temporarily occur in the changes of data streams" discussed on page 3 of the present application, and clearly fails to teach the method recited by amended Claim 8.

In view of the foregoing, Applicant respectfully requests reconsideration and removal of the rejection of Claim 8. Applicant also requests reconsideration and removal of the rejections of Claims 9-14 as well, at least by virtue of these claims' ultimate dependency upon a patentably distinct base Claim 8.

Independent apparatus Claim 15 analogously recites, in part, "detection means of a change of list of broadcast services, the detection means controlling the means for copying the list of broadcast services," and, "means for suspending updating of the second database from the first database during acquiring of a new list of

services." Accordingly, Applicant submits Claim 15 is also patentably distinguishable over Rzeszewski, at least by reason of Rzeszewski's failure to teach, or suggest: (1) controlling the means for copying the list of broadcast services using a detection means of a change of list of broadcast services (i.e., as a triggering event), and/or (2) suspending updating of the second database from the first database during acquiring of a new list of services.

### **CONCLUSION**

Having fully addressed the Examiner's rejections, Applicants submit that the present application is in condition for allowance and respectfully request such action. No fee is believed due in regard to the present amendment. However, if a fee is due, please charge the fee to Deposit Account 07-0832. Should any questions arise regarding any of the above, the Examiner is requested to contact the undersigned at 609-734-6815.

Respectfully submitted,

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### **CERTIFICATE OF MAILING**

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop AF, Commissioner for Patents, Alexandria, Virginia 22313-1450 on:

Date

11-28-05

Karen Schlauch